

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Applicants note with appreciation the Examiner's indication that the application is in condition for allowance except for several formal matters.

Claims 1-3, 7, 9-17, 21, 23-28, 30-39 stand objected to noting a number of informalities. The claims have been amended as requested by the Examiner. None of the amendments is narrowing or surrenders any subject matter.

The Examiner poses several questions. Specifically, the Examiner questions what is meant by "choosing as a preferred unavailable code one minimizing the total number of changes of already allocated codes." This expression corresponds to an unavailable code that minimizes the total number of reallocations. This reallocation terminology has been adopted for clarification. The Examiner asks what is meant by "codes with the highest unavailabilities." This expression corresponds to "codes with the highest degree of unavailability," where the degree of unavailability of a code is defined as the fraction of the total bit rate of the subtree of the code that is assigned to used codes.

Based on the foregoing and the amendments made, Applicants submit that the informalities noted by the Examiner have been remedied. The application is now in condition for allowance. An early notice to that effect is earnestly solicited.

IMBENI et al
Appl. No. 09/707,914
August 26, 2004

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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